

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

METCALFE, Susan Marie

Appl. No.: 10/587,995 (U.S. Nat'l Phase
of PCT/EP05/00934)

§ 371 Date: July 27, 2007

For: **Method of Inducing or Modulating
Immune Response**

Confirmation No.: 7016

Art Unit: 1647

Examiner: Lockard, Jon M.

Atty. Docket: 2655.0010000/RWE/GAL

**Second Supplemental Information Disclosure Statement
Under 37 C.F.R. § 1.97(b)**

Mail Stop Amendment

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Listed the on accompanying IDS Form, PTO/SB/08A, is a document that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this Second Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' First Supplemental Information Disclosure Statement filed herewith in connection with the above-captioned application.

A copy of the U.S. patent application publication cited on the attached Form PTO/SB/08A, document **A1**, is not submitted in accordance with 37 C.F.R. § 1.98(a)(2).

The Examiner's attention is directed to the following co-pending U.S. patent application which is directed to related technical subject matter:

Application No. 11/873,586, inventors Metcalfe, *et al.*, filed October 17, 2007; published on May 29, 2008 as US 2008/0125390 A1 (Document **A1**).

The identification of this U.S. Patent Application is not to be construed as a waiver of secrecy as to this application now or upon issuance of the present application as a patent. The Examiner is respectfully requested to consider the cited application and the art cited therein during examination.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached IDS Forms based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

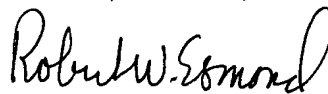
This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits. No statement or fee is required.

It is respectfully requested that the Examiner initial and return a copy of the enclosed IDS Forms, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

A handwritten signature in black ink, appearing to read "Robert W. Esmond". The signature is fluid and cursive, with the first name "Robert" and last name "Esmond" clearly distinguishable.

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Date: Nov. 14, 2008

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